

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DANIEL MATEO ALVAREZ,	§	
	§	
Petitioner,	§	
	§	Civil Action No. 3:06-CV-1505-L
	§	
NATHANIEL QUARTERMAN, Director, Texas Department of Criminal Justice, Correctional Institutions Divisions,	§	
	§	
Respondent.	§	
	§	

ORDER

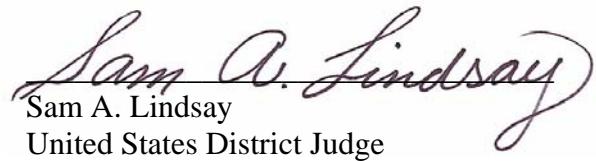
This is a habeas case brought under 28 U.S.C. § 2254. Pursuant to 28 U.S.C. §636(b), and an order of the court in implementation thereof, this action was referred to the United States magistrate judge for proposed findings and recommendation. On February 1, 2007, the Findings, Conclusions and Recommendation of the United States Magistrate Judge were filed, to which no objections were filed.

The magistrate judge found that Petitioner's first ground for relief, namely, that he was denied effective assistance of trial counsel, should be denied as patently frivolous. The magistrate judge further found that Petitioner's second ground for relief, namely, that the trial judge erred in admitting testimony of an "outcry witness," should be denied, among other reasons, because it fails to present a cognizable claim under the Confrontation Clause of the Sixth Amendment.

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are **accepted** as those of the court. Plaintiff's petition

for habeas corpus is **denied**, and this case is **dismissed with prejudice**. Final judgment will issue by separate document.

It is so ordered this 22nd day of February, 2007.


Sam A. Lindsay
United States District Judge